United Nations S/AC.55/2014/29

Security Council

Distr.: General
24 September 2014
English
Original: Russian

Security Council Committee established pursuant to resolution 2127 (2013) concerning the Central African Republic

Note verbale dated 22 September 2014 from the Permanent Mission of the Russian Federation to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Russian Federation to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 2127 (2013) concerning the Central African Republic and has the honour to inform her that, on 10 September 2014, the President of the Russian Federation, Vladimir V. Putin, signed Decree No. 626, "Measures to implement United Nations Security Council resolutions 2127 (2013) of 5 December 2013 and 2134 (2014) of 28 January 2014" (see annex), which aligns Russian legislation with the sanctions regime established by these Security Council resolutions.

14-61670 (E) 011014 011014

Please recycle

Annex to the note verbale dated 22 September 2014 from the Permanent Mission of the Russian Federation to the United Nations addressed to the Chair of the Committee

Decree of the President of the Russian Federation

Measures to implement United Nations Security Council resolutions 2127 (2013) of 5 December 2013 and 2134 (2014) of 28 January 2014

In connection with the adoption of United Nations Security Council resolutions 2127 (2013) of 5 December 2013 and 2134 (2014) of 28 January 2014, which impose a number of restrictions on the Central African Republic, and pursuant to Federal Act No. 281-FZ, "Special economic measures", of 30 December 2006, I hereby decree that:

1. All State institutions; industrial, commercial, financial, transport and other organizations; credit institutions and non-credit financial institutions; and other individuals and entities under the jurisdiction of the Russian Federation shall, until further notice, comply with the following provisions in carrying out their activities:

(a) As from 5 December 2013, the direct or indirect supply, sale or transfer to the Central African Republic, from or through the territory of the Russian Federation or by its nationals or using its flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, as well as training and technical, financial or other assistance, including the provision of armed mercenary personnel, related to military activities or the provision, maintenance or use of any arms and related materiel, whether or not originating in the Russian Federation, shall be prohibited;

(b) As from 28 January 2014, the entry into or transit through the territory of the Russian Federation of individuals designated by the United Nations Security Council Committee established pursuant to resolution 2127 (2013) of 5 December 2013 (hereafter "the Committee") shall be prohibited, provided that nothing in this paragraph shall oblige the Russian Federation to refuse its own nationals entry into its territory;

(c) In accordance with the legislation of the Russian Federation, financial transactions involving funds or financial or other assets or resources in the territory of the Russian Federation which are owned or controlled, directly or indirectly, by individuals or entities designated by the Committee or by individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them, including transactions to make funds or financial or other assets or resources available to or for the benefit of individuals or entities designated by the Committee, shall be prohibited;

(d) Items prohibited by paragraph 1 (a) of this Decree shall, upon discovery, be seized, registered and disposed of, such as through destruction, decommissioning, storage or transfer to a State other than the originating or

destination States for disposal, and such actions shall be carried out in cooperation with other States;

(*e*) The Ministry of Foreign Affairs of the Russian Federation shall be promptly informed of any seizure of items prohibited by paragraph 1 (a) of this Decree, with a view to the Ministry's subsequent submission of this information to the Committee.

2. The measures imposed in paragraph 1 (a) of this Decree shall not apply to:

(a) Supplies intended solely for use by the Economic Community of Central African States Mission for the Consolidation of Peace in the Central African Republic (MICOPAX), the African-led International Support Mission in the Central African Republic (MISCA), the United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA) and its guard unit, the African Union Regional Task Force and the French forces deployed in the Central African Republic, and for the conduct of the European Union operation;

(b) Supplies of non-lethal military equipment intended solely for humanitarian or protective use and for technical assistance or training, as authorized by the Committee;

(c) Protective clothing, including flak jackets and military helmets, temporarily exported to the Central African Republic by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only;

(d) Supplies of small arms and related equipment intended solely for use in international patrols providing security in the Sangha River Tri-national Protected Area to defend against poaching, smuggling of ivory and arms, and other activities contrary to the national laws or the international legal obligations of the Central African Republic;

(e) Supplies of arms and related lethal equipment to the Central African Republic security forces, intended solely for support of or use in the Central African Republic process of security sector reform, as authorized by the Committee;

(f) Other sales or supplies of arms and related materiel, or provision of assistance or personnel, as authorized by the Committee.

3. The measures imposed in paragraph 1 (b) of this Decree shall not apply:

(a) Where the Committee determines on a case-by-case basis that designated individuals' entry into or transit through the territory of the Russian Federation is justified on the grounds of humanitarian need, including religious obligation;

(b) Where the Russian Federation determines that designated individuals' entry into or transit through its territory is necessary for the fulfilment of a judicial process;

(c) Where the Committee determines on a case-by-case basis that an exemption would further the objectives of peace and national reconciliation in the Central African Republic and stability in the region.

4. The measures imposed in paragraph 1 (c) of this Decree shall not apply:

(a) To funds or financial or other assets or resources (after notification by the Russian Federation to the Committee of its intention to authorize, where appropriate, access to such funds or financial or other assets or resources and in the absence of a negative decision by the Committee within five working days of the date of receipt of such notification) which the Russian Federation has determined to be necessary solely for the following purposes:

- Defrayal of basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical assistance, and public utility charges;
- Payment of taxes and insurance premiums;
- Payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services;
- Payment of fees and service charges, in accordance with the laws of the Russian Federation, for routine holding or maintenance of frozen funds or financial or other assets or resources;

(b) To funds or financial or other assets or resources which the Russian Federation has determined to be necessary for extraordinary expenses, provided that such determination has been notified to and approved by the Committee;

(c) To funds or financial or other assets or resources which the Russian Federation has determined to be the subject of a judicial, administrative or arbitral lien or judgement, in which case the funds or financial or other assets or resources may be used to satisfy that lien or judgement, provided that the lien or judgement was entered into prior to 28 January 2014 (the date of adoption of United Nations Security Council resolution 2134 (2014)), is not for the benefit of a person or entity designated by the Committee, and has been notified by the Russian Federation to the Committee.

5. The addition, to the accounts and financial transactions prohibited pursuant to paragraph 1 (c) above, of interest or other earnings due on those accounts or payments due under contracts, agreements or obligations that arose or were entered into prior to 28 January 2014, the date of adoption of United Nations Security Council resolution 2134 (2014), shall not be prohibited, provided that any such interest, other earnings or payments continue to be subject to the provisions of this Decree and any further transactions involving them are prohibited.

6. The provisions of paragraph 1 (c) of this Decree shall not prevent the making of payments due under contracts entered into by designated persons or entities prior to their listing by the Committee, provided that the Russian Federation has determined that the payment is not directly or indirectly received by such a person or entity. The Ministry of Foreign Affairs of the Russian Federation shall notify the Committee of the Russian Federation's intention to authorize the lifting, for this purpose, of the prohibition on financial transactions involving funds or financial or other assets or resources 10 working days prior to such authorization.

7. The measures imposed in paragraphs 1 (b) and 1 (c) of this Decree shall apply to the individuals and entities designated by the Committee as:

(a) Violating the arms embargo established in United Nations Security Council resolution 2127 (2013) of 5 December 2013, or as having directly or

indirectly supplied, sold or transferred to armed groups or criminal groups or organizations in the Central African Republic or as having been the recipient of arms or any related materiel or any training or assistance, including financing and financial assistance, for the commission of violent activities by armed groups or criminal groups or organizations in the Central African Republic;

(b) Involved in planning, directing or committing acts that violate international law or international humanitarian law, including acts related to human rights abuses or violations, in the Central African Republic;

(c) Recruiting or using children in armed conflict in the Central African Republic, in violation of international law;

(d) Providing support for armed groups or criminal groups or organizations in the Central African Republic through the illicit exploitation of the country's natural resources, including diamonds, plant and animal wildlife and wildlife products;

(e) Obstructing the delivery of humanitarian assistance to the Central African Republic, or the population's access to, or the distribution of, such assistance in the Central African Republic;

(f) Involved in planning, directing, financing or conducting attacks against United Nations missions or international security presences in the Central African Republic and the other forces that support them;

(g) Being leaders of, having provided support to, or having acted for or on behalf of or at the direction of an entity that the Committee has designated pursuant to United Nations Security Council resolution 2134 (2014) of 28 January 2014.

8. The Ministry of Foreign Affairs, the Ministry of Internal Affairs, the Ministry of Defence, the Ministry of Transport, the Ministry of Finance, the Ministry of Industry and Trade, the Ministry of Economic Development, the Foreign Intelligence Service, the Federal Security Service, the Federal Customs Service, the Federal Migration Service, the Federal Technical and Export Control Service, the Federal Military Technology Cooperation Service, the Federal Financial Monitoring Service and the Central Bank of the Russian Federation shall be responsible for the implementation of this Decree in their respective areas of competence.

9. The Ministry of Foreign Affairs of the Russian Federation shall promptly bring to the attention of the federal executive authorities and entities referred to in paragraph 8 of this Decree such additional information on United Nations Security Council and Committee decisions as may be necessary for the implementation of this Decree.

10. This Decree shall enter into force on the date of its signature.

V. Putin
President of the Russian Federation
Kremlin, Moscow
10 September 2014

No. 626